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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,231	08/26/2003	Takafumi Ito	116775	1911
25944	7590	10/19/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			RICHER, AARON M	
			ART UNIT	PAPER NUMBER
			2676	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/647,231	<b>Applicant(s)</b> ITO, TAKAFUMI	
	<b>Examiner</b> Aaron M. Richer	<b>Art Unit</b> 2676	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 August 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see p. 7 of Remarks, filed August 2, 2005, with respect to the objections to claims 2-5 and 7-15 have been fully considered and are persuasive.

The objections to claims 2-5 and 7-15 have been withdrawn.

2. Applicant's arguments with respect to the rejection of claims 1-15 have been fully considered but they are not persuasive. Applicant argues that Jackson does not disclose adjusting image quality, nor does Jackson disclose quality adjustment values.

The examiner disagrees with this assessment, noting that p. 7, paragraph 0081 discloses an "Image Format Determination Server" that classifies a network based on quality. These quality values are then used to pick an image format that suits the network connection. Because these quality values are used to adjust an image format, and may result in the lowering of quality of an image (p. 3, paragraph 0045), the invention of Jackson does disclose image quality adjustment values being used for adjusting quality of image displays.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-5 and 7-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Jackson (U.S. Publication 2002/0131072).

5. As to claim 1, Jackson discloses an image display device, comprising:  
an image quality adjustment device (p. 7, paragraph 0081);  
a storage device that stores predetermined image quality adjustment values (p. 4-5, paragraph 0062; adjustment values are stored for reuse), the image quality adjustment values being used for adjusting quality of image displays (p. 3, paragraph 0045);  
and an output device that outputs the image quality adjustment values in the storage device to at least one of an information storage medium, a connected computer, and a connected network (p. 5, paragraph 0072; the adjustment values are sent to a "networked device").

6. As to claim 2, Jackson discloses an image display device in which image quality adjustment values outputted from another image display device or another computer are inputted through any one of the information storage medium, the coupled computer, and the connected network (p. 4, paragraph 0058; multiple networked image display devices are disclosed).

7. As to claim 3, Jackson discloses a device in which the image quality adjustment values stored in the storage device are updated to newly inputted image quality adjustment values (p. 6, paragraph 0074).

8. As to claim 4, Jackson discloses an image quality adjustment file in which user information concerning a user and device information concerning the image display

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device are added to the image quality adjustment values being inputted or outputted (fig. 9, element 912).

9. As to claim 5, Jackson discloses an image quality adjustment file in which one or both of content information concerning a contents of an image to be displayed and site information concerning an environment in which the image is to be displayed is added to the image quality adjustment values being inputted or outputted (fig. 9, element 912; image "type", "size", and "legibility" are all information concerning contents of an image).

10. As to claim 7, Jackson discloses an image display system, comprising a network, a host computer coupled to the network, and at least one image display device coupled to the network,

image quality adjustment values of the at least one image display device being transmitted or received between the host computer and the at least one image display device through the network (p. 5, paragraph 0072; the adjustment values are sent to a "networked device"; fig. 9, element 902 discloses a "host computer"), the image quality adjustment values being used for adjusting quality of image displays (p. 3, paragraph 0045).

11. As to claim 8, Jackson discloses an image display system, comprising a network, a host computer coupled to the network, at least one user computer coupled to the network, and at least one image display device coupled to the user computer through at least one of a wireless medium, a wired medium and an information storage medium,

image quality adjustment values of the at least one image display device being transmitted or received between the host computer and the at least one image display

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device through the user computer and the network (p. 5, paragraph 0072; the adjustment values are sent to a “networked device”; also see fig. 9), the image quality adjustment values being used for adjusting quality of image displays (p. 3, paragraph 0045).

12. As to claim 9, Jackson discloses an image display system, comprising a network, a host computer coupled to the network, at least one first image display device coupled to the network, at least one user computer coupled to the network, and at least one second image display device coupled to the at least one user computer through at least one of a wireless medium, a wired medium and an information storage medium,

image quality adjustment values of at least one image display device being transmitted or received between the at least one first image display device and the at least one second image display device through the network, the host computer, and the user computer (p. 4, paragraph 0058; p. 5, paragraph 0072; the adjustment values are sent to a “networked device”; also see fig. 9), the image quality adjustment values being used for adjusting quality of image displays (p. 3, paragraph 0045).

13. As to claim 10, Jackson discloses an image display system, comprising a network, at least two first image display devices coupled to the network, at least one user computer coupled to the network, and at least two second image display devices coupled to the user computer through at least one of a wireless medium, a wired medium and an information storage medium,

image quality adjustment values of the at least two first image display devices being transmitted or received between the at least two first display devices through the network,

or image quality adjustment values of the at least two second image display devices being transmitted or received between the at least two second image display devices through the user computer and the network,

or image quality adjustment values of at least one image display device being transmitted or received between the at least two first image display devices and the at least two second image display devices through the user computer and the network (p. 4, paragraph 0058; p. 5, paragraph 0072; the adjustment values are sent to a “networked device”; also see fig. 9 for multiple display devices connected to a host computer), the image quality adjustment values being used for adjusting quality of image displays (p. 3, paragraph 0045).

14. As to claim 11, Jackson discloses an image quality adjustment file in which user information concerning a user and device information concerning the image display device added to the image quality adjustment values being transmitted or received (fig. 9, element 912).

15. As to claim 12, Jackson discloses an image quality adjustment file in which one or both of content information concerning the contents of an image to be displayed and site information concerning the environment in which the image is to be displayed added to the image quality adjustment values being transmitted or received (fig. 9,

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element 912; image "type", "size", and "legibility" are all information concerning contents of an image).

16. As to claim 13, Jackson discloses at least one of image quality adjustment-analysis values per user obtained by analyzing the image quality adjustment values with respect to each user, image quality adjustment-analysis values for each image display device obtained by analyzing the image quality adjustment values with respect to each image display device, image quality adjustment-analysis values per content obtained by analyzing the image quality adjustment values with respect to each content of an image to be displayed, and image quality adjustment-analysis values per site obtained by analyzing the image quality adjustment values with respect to each environment in which the image is to be displayed being computed in the host computer based on the image quality adjustment file (fig. 9; p. 6, paragraph 0074; adjustment-analysis values are obtained with respect to each device).

17. As to claim 14, Jackson discloses combined image quality adjustment-analysis values obtained by combining any two or more of a user, an image display device, contents of an image to be displayed and environment in which the image is to be displayed and analyzing the extracted image quality adjustment values being computed in the host computer based on the image quality adjustment file (fig. 9; elements 902, 912, 914).

18. As to claim 15, Jackson discloses at least one of the image quality adjustment-analysis values per user, the image quality adjustment-analysis values per device, the

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image quality adjustment-analysis values per content, and the image quality adjustment-analysis values per site according to:

at least one of image quality adjustment-analysis values per user obtained by analyzing the image quality adjustment values with respect to each user, image quality adjustment-analysis values for each image display device obtained by analyzing the image quality adjustment values with respect to each image display device, image quality adjustment-analysis values per content obtained by analyzing the image quality adjustment values with respect to each content of an image to be displayed, and image quality adjustment-analysis values per site obtained by analyzing the image quality adjustment values with respect to each environment in which the image is to be displayed being computed in the host computer based on the image quality adjustment file (fig. 9; p. 6, paragraph 0074; adjustment-analysis values are obtained with respect to each device),

and the combined image quality adjustment-analysis values according to combined image quality adjustment-analysis values obtained by combining any two or more of a user, an image display device, contents of an image to be displayed and environment in which the image is to be displayed and analyzing the extracted image quality adjustment values being computed in the host computer based on the image quality adjustment file (fig. 9; elements 902, 912, 914),

being formed in a predetermined file format and selectively transmitted to the image display device or the user computer (fig. 9; element 914; p. 5; paragraph 0072).

***Claim Rejections - 35 USC § 103***

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19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson.

21. As to claim 6, Jackson does not explicitly disclose an information display device that displays the image quality adjustment values. Jackson does display the image resulting from the adjustment values (fig. 9), but not the values themselves. However, displaying an image quality adjustment value is common practice on televisions or monitors, in which adjustment values such as brightness, tint, and various other color settings which correspond to the quality of an image, are displayed. Official notice has been taken of the fact that displaying image quality adjustment values is well-known in the art (see MPEP 2144.03). It would have been obvious to one skilled in the art to modify Jackson to display image quality adjustment values in order to allow a user to take note of what values are being used.

### ***Conclusion***

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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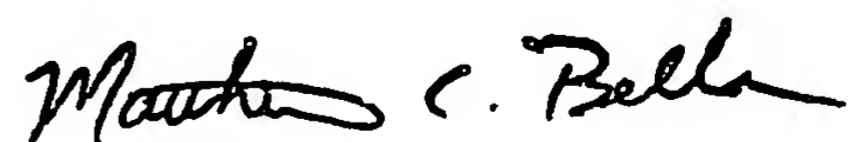
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Richer whose telephone number is (571) 272-7790. The examiner can normally be reached on weekdays from 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMR  
10/13/05



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